IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO:7934 of 2005

Between:

M/s.Leela Advertising Agency, rep.by its Managing Partner, Guthikonda Kishan, S/o.Mallaiah, R/o.H.NO.2-8-649, Plot No.213, Bhavani Nagar, NGO's Colony Road, Hanumakonda, Warangal District.

..... PETITIONER

AND

The Commissioner, Municipal Corporation, Near MGM Hospital, Warangal.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, especially, one in the nature of writ of Mandamus declaring the tender notification issued in proceedings in Roc.No.G1/9806/2005 dt.24-3-2005 by the respondent corporation is illegal, arbitrary and violative of Article 19(1)(g) of the Constitution of India and subsequently set aside the same and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case in the interest of justice.

Counsel for the Petitioner: MR.CH.RAVINDER

Counsel for the Respondent: MR.V.DURGA NAGESWARA RAO

The Court at the stage of admission made the following:

HONOURABLE MS.JUSTICE G.ROHINI

WRIT PETITION NO.7934 OF 2005

ORDER:

This writ petition is filed seeking a declaration that the tender notice dated 24-03-2005 issued by the respondent-Corporation is arbitrary and illegal.

The petitioner states that by proceedings dated 18-12-2000, the respondent Corporation granted permission to the petitioner for erection of advertisement boards on central lighting poles for a period of five years which is valid upto 23-01-2006. However, now under the impugned tender notice, the respondent-Corporation has invited sealed tenders for advertisement on central electrical poles on all important roads situated within the jurisdiction of the Warangal Municipal Corporation. The grievance of the petitioner is that the impugned tender notice includes the areas wherein the petitioner was permitted to erect the advertisement boards and therefore the action of the respondent is arbitrary and illegal.

However, the learned Standing Counsel, Mr.V.Durga Nageswara Rao, under instructions, states that the impugned tender notice, does not cover the areas in respect of which the petitioner was permitted to erect advertisement boards.

The said statement is placed on record.

In the circumstances, no adjudication is necessary on merits. Accordingly, recording the statement of the learned Standing Counsel for the respondent, the Writ Petition is disposed of. No costs.

G.ROHINI, J

12th April, 2005

Note:

Furnish C.C. within 2 days.

B/o.

SKM

To

1 The Commissioner, Municipal Corporation,

Near MGM Hospital, Warangal.

2 Two C.D. copies.

*Form-NIC-OGS/WP{**JA**}*